

## **Consolidated 3-Part Virginia Title V Operating Permit**

### **Article 1**

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, Smithfield Packing Company, Incorporated, Gwaltney of Smithfield, Limited, and Smithfield Ham and Products Company are authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution, comprising the three facilities described in this permit, is hereby granted to:

Permittees:        Smithfield Packing Company, Incorporated; Gwaltney of Smithfield, Limited; and Smithfield Ham and Products Company

Facilities:                Smithfield Packing Company, Incorporated (Permit Part 1)  
                                 501 North Church Street  
                                 Smithfield, Virginia

                                 Gwaltney of Smithfield, Limited (Permit Part 2)  
                                 601 North Church Street  
                                 Smithfield, Virginia

                                 Smithfield Ham and Products Company (Permit Part 3)  
                                 401 North Church Street  
                                 Smithfield, Virginia

Registration Number:    60270  
Permit Number:         TRO - 60270

July 13, 2004  
Effective Date

February 24, 2008  
Expiration Date

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Robert G. Burnley  
Director, Department of Environmental Quality

July 13, 2004  
Signature Date

Table of Contents, 2 pages for each part.

Permit Conditions, 80 pages (Part 1, 31 pages; Part 2, 26 pages; Part 3, 23 pages)

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## **I. Smithfield Packing Company, Incorporated, Facility Information**

### **Permittee**

Smithfield Packing Company, Incorporated  
501 North Church Street  
Smithfield VA 23430

### **Responsible Official**

Mr. Donovan Ford, Plant Manager  
Smithfield Packing Company, Incorporated

### **Facility**

Smithfield Packing Company, Incorporated  
501 North Church Street  
Smithfield VA 23430

### **Primary Contact Person**

Mr. Mike Spaetzel, Environmental Coordinator  
Smithfield Packing Company, Incorporated  
757-357-4321, ext. 3458

### **Alternate Contact Person**

Mr. Norman Fisher, Vice President of Environmental Affairs  
Gwaltney/Smithfield Packing  
757-357-1563

**AIRS Identification Number:** 51-093-00011

**Facility Description:** SIC Code 2011 and 2013 – Smithfield Packing Company, Incorporated, a meat packing and rendering facility, Gwaltney of Smithfield, Limited, a contiguous meat packing plant, and Smithfield Ham and Products Company, a contiguous food processing facility, are independently operated companies that operate under the common control of Smithfield Foods, Incorporated. The three companies have been determined, under Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution (9 VAC 5, Chapter 80), to represent a single stationary source of air emissions. A three-part Title V permit format is used to reflect each permittee's compliance responsibilities delegated by Smithfield Foods, Incorporated, to facilitate direct compliance relationships between the state and the three companies.

Main plant boilers URN 1, URN 2, and URN 3 at Smithfield Packing Company, Incorporated, are existing boilers installed prior to, and not modified after, March 17, 1972, the new source review (NSR) applicability date. Main plant boiler URN 4 is a Cleaver Brooks 800 horsepower boiler installed in 1978. Rendering plant boiler URN 5 is a Murray 1500 horsepower boiler, manufactured in 1969, and installed in 1988. Boilers URN 4 and URN 5 operate in compliance with new source review (NSR) requirements of the September 25, 2002, NSR permit. The boilers use natural gas, as the primary fuel, and fuel oil.

Rendering equipment installed in 1988 includes blood dryer URN 7 and continuous cooker URN 35.

## II. Smithfield Packing Company, Incorporated, Emissions Units and Control Device Identification

Equipment to be operated consists of:

(\*The Size/Rated capacity and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.)

Emission Unit ID	Stack ID	Emission Unit Description, Install Date	Size/Rated Input Capacity*	Pollution Control Device Description	Applicable Permit Date
URN 1	S1	Cleaver Brooks, 1970	30.5 million Btu/hr		9/25/02
URN 2	S2	Iron Fireman / BE&S, 1966	26.5 million Btu/hr		9/25/02
URN 3	S3	Iron Fireman/Superior, 1973	26.5 million Btu/hr		9/25/02
URN 4	S4	Cleaver Brooks, 1978	34.8 million Btu/hr		9/25/02
URN 5	S5	Murray, manufactured in 1969, installed in 1988	64.2 million Btu/hr		9/25/02
URN 7	S35	Dupps Blood Ring Dryer 2000B, installed in 1988	5.5 million Btu/hr, 2,300 lb blood meal/hr		NA
URN 35	S35	Dupps Inedible Rendering Continuous Cooker, installed in 1988	46,000 lb/hr input, 23,000 lb output production/hr	Condenser and Venturi scrubber	NA

Pollution Control Equipment consists of:

Stack No.	Control Equipment Description	Manufacturer and Date of Construction	Size/Rated Capacity*	Pollutant
S35	Shell-in-tube condenser	AC Corporation	4,000 cfm	Rendering process vapors (condensable PM10)
S35	Venturi scrubber	Dupps Model 4	4,000 cfm	Concentrated odors, blood coagulator /continuous cooker PM10

### **III. Smithfield Packing Company, Incorporated, Fuel Burning Equipment - (Boilers URN 1 to URN 5)**

#### **A. Limitations**

1. **Approved Fuels for Boilers URN 1 to URN 5** - Approved fuels for boilers URN 1 to URN 5 are natural gas and low sulfur fuel oils. A change in fuels may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 3 of Smithfield Packing Company NSR permit dated September 25, 2002)

2. **Fuel Oil Throughput for Boilers URN 4 and URN 5** - Main plant boiler URN 4 and rendering plant boiler URN 5 shall consume, combined, no more than 1,500,000 gallons of No. 4, 5, and 6 residual fuel oils, combined, or 1,618,705 gallons of No. 1 and No. 2 distillate fuel oils, combined, per year, calculated monthly as the sum of each consecutive 12-month period. If more than one type of fuel oil is combusted in any consecutive 12-month period, the following overall fuel oil limit shall apply:

*Fuel throughput limit =  $(a+b)/[(a/1,500,000)+(b/1,618,705)]$ , where*

*a=gallons of residual oils No. 4, 5, and 6, combined, fired in 12 consecutive months, and*

*b=gallons of distillate oils No. 1 and No. 2, combined, fired in 12 consecutive months.*

(9 VAC 5-80-110 and Condition 4 of Smithfield Packing Company NSR permit dated September 25, 2002)

3. **Natural Gas Throughput for Boilers URN 4 and URN 5** - Boilers URN 4 and URN 5, combined, shall consume no more than 1000 million cubic feet (mmcf) of natural gas per year, calculated monthly as the sum of each consecutive 12-month period.  
(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 5 of Smithfield Packing Company NSR permit dated September 25, 2002)

4. **Fuel Specifications for Boilers URN 1 to URN 5** - Fuels oil for boilers URN 1 to URN 5 shall meet the specifications below:

RESIDUAL OIL which meets ASTM specifications for numbers 4, 5, or 6 fuel oil:  
Maximum sulfur content per shipment: 0.5%.

DISTILLATE OIL which meets ASTM specifications for numbers 1 or 2 fuel oil:  
Maximum sulfur content per shipment: 0.5%.

(9 VAC 5-80-110 and Condition 6 of Smithfield Packing Company NSR permit dated September 25, 2002)

5. **PM Emissions Limits for Boilers URN 1 to URN 3-** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any gaseous products of combustion containing particulate emissions in excess of the following limits:

PM (for Boilers URN 1 to URN 3)	0.346 lbs/million Btu input
PM (for Boiler URN 1)	10.6 lbs/hr
PM (for Boiler URN 2)	9.2 lbs/hr
PM (for Boiler URN 3)	9.2 lbs/hr

For fuel burning equipment installations with total capacity between 10 million and 10 billion Btu per hour, the maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be determined by the following equation:  $E = 1.0906H^{-0.2594}$ , where H is the total heat input capacity in millions of Btu per hour. Maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio.

(9 VAC 5-40-900 and 9 VAC 5-80-490)

6. **SO<sub>2</sub> Emissions Limit for Boilers URN 1 to URN 3 -** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any sulfur dioxide emissions in excess of the following limit:

SO <sub>2</sub> (for Boilers URN 1 to URN 3, combined)	220.4 lbs/hr
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The maximum emissions shall be determined by the following equation:

$S = 2.64K$ , where S = allowable emission of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour.

(9 VAC 5-40-930 and 9 VAC 5-80-490)

7. **Emission Limits for URN 4** - Emissions from boiler URN 4 shall not exceed the limits specified below:

Particulate Matter (PM)	1.9 lbs/hr
Particulate Matter (PM-10)	1.6 lbs/hr
Sulfur Dioxide	19.0 lbs/hr
Nitrogen Oxides (as NO <sub>2</sub> )	13.3 lbs/hr
Carbon Monoxide	2.9 lbs/hr
Volatile Organic Compounds	0.2 lbs/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Compliance with these limits may be determined by stack testing as required by DEQ.

(9 VAC 5-80-110 and Condition 8 of Smithfield Packing Company NSR permit dated September 25, 2002)

8. **Emission Limits for URN 5** - Emissions from boiler URN 5 shall not exceed the limits specified below:

Particulate Matter (PM)	3.5 lbs/hr
Particulate Matter (PM-10)	3.0 lbs/hr
Sulfur Dioxide	35.0 lbs/hr
Nitrogen Oxides (as NO <sub>2</sub> )	24.5 lbs/hr
Carbon Monoxide	5.4 lbs/hr
Volatile Organic Compounds	0.4 lbs/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Compliance with these limits may be determined by stack testing as required by DEQ.

(9 VAC 5-80-110 and Condition 9 of Smithfield Packing Company NSR permit dated September 25, 2002)



9. **Emission Limits for URN 4 and URN 5, Combined** - Annual emissions from boilers URN 4 and URN 5, combined, shall not exceed limits specified below:

Total Suspended Particulate (PM)	9.7 tons/yr
PM-10	8.8 tons/yr
Sulfur Dioxide	59.2 tons/yr
Nitrogen Oxides (as NO <sub>2</sub> )	91.3 tons/yr
Carbon Monoxide	45.8 tons/yr
Volatile Organic Compounds	3.0 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Part 1, Conditions III.A.1, III.A.2, III.A.3, III.A.4, and III.B.3 (NSR Conditions 3, 4, 5, 6, and 13).

(9 VAC 5-80-110 and Condition 10 of Smithfield Packing Company NSR permit dated September 25, 2002)

10. **Visible Emissions Limit for Boilers URN 1, URN 2, and URN 3** - Visible emissions from boilers URN 1, URN 2, and URN 3 shall not exceed 20 percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).

(9 VAC 5-80-110 and Condition 11 of Smithfield Packing Company NSR permit dated September 25, 2002)

11. **Visible Emissions Limit for Boilers URN 4 and URN 5** - Visible emissions from the stacks of boilers URN 4 and URN 5, shall not exceed 20 percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, or malfunction.

(9 VAC 5-80-110 and Condition 12 of Smithfield Packing Company NSR permit dated September 25, 2002)

**B. Periodic Monitoring and Recordkeeping**

1. **Periodic Visual Observations for Boilers URN 1 to URN 5** - Smithfield Packing Company, Incorporated shall perform periodic visual observations of each combustion exhaust stack at least once each week (Monday-Sunday) during daylight hours of operations for the presence of visible emissions from boilers URN 1 to URN 5. If visible emissions are observed, Smithfield Packing Company, Incorporated shall take appropriate action to correct the cause of the opacity such that no visible emissions exist. If visible emissions continue after maintenance actions, a visible emissions evaluation (VEE) shall be immediately conducted on the stack for at least six minutes in accordance with Method 9 (40 CFR 60, Appendix A), and record the details in a log. If the VEE opacity average exceeds ten (10) percent, the VEE shall continue for one hour from initiation on the stack.  
(9 VAC 5-80-110 E)
2. **Fuel Certification for Boilers URN 1 to URN 5** - Smithfield Packing Company, Incorporated shall obtain a certification from the fuel supplier with each shipment of fuel oil for boilers URN 1 to URN 5. A receipt for each shipment containing the name of the fuel supplier, the date on which the oil was received, the volume of oil in the shipment, American Society for Testing and Materials classification of the oil, and the percent sulfur content of the oil, shall be considered a certification for purposes of this permit.  
(9 VAC 5-80-110 and Condition 7 of NSR permit dated September 25, 2002)
3. **Fuel Burning Equipment Recordkeeping** - Smithfield Packing Company, Incorporated shall maintain records of emissions data and operating parameters as necessary to demonstrate compliance with this permit. Content and format of such records shall be arranged with Tidewater Regional Office. These records shall include, but are not limited to:
  - a. Monthly and annual throughputs of fuel oils for each of boilers URN 4 and URN 5, the basis used for the calculated throughputs, and the combined monthly and annual throughputs for the two boilers, with annual throughputs calculated monthly as the sum of each consecutive 12-month period;
  - b. Monthly and annual throughputs of natural gas for each of boilers URN 4 and URN 5, the basis used for the calculated throughputs, and the combined monthly and annual throughputs for the two boilers, with annual throughputs calculated monthly as the sum of each consecutive 12-month period;
  - c. Records of visual emission observations and visible emission evaluations (VEE) for boilers URN 1 to URN 5, and any corrective action taken;

- d. Fuel supplier certifications for all fuel combusted in boilers URN 1 to URN 5; and
- e. Maintenance and training records as required by Part 1, Condition V.B.1 (NSR Condition 19).

These records shall be available at the facility for inspection by the DEQ, and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 13 of NSR permit dated September 25, 2002)

### C. Testing

1. **Test Ports** - The permitted facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided on boilers URN 4 and URN 5, when requested, in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B). (9 VAC 5-80-110 and Condition 14 of Smithfield Packing Company NSR permit dated September 25, 2002)
2. **Test Methods** - If testing to demonstrate compliance is conducted in addition to the monitoring specified in this permit, Smithfield Packing Company, Incorporated shall use the following test methods in accordance with procedures approved by the DEQ as follows:

*The following table applies only to those pollutants that have emission limits.*

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO <sub>x</sub>	EPA Method 7
SO <sub>2</sub>	EPA Method 6
CO	EPA Method 10
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

#### **IV. Smithfield Packing Company, Incorporated, Rendering Plant – Blood Drying Equipment and Continuous Cooker URN 35**

##### **A. Limitations**

1. **Emissions Control – Rendering Air Pollution Control Equipment**– The following standards shall apply to control of PM/PM-10 from inedible rendering emissions units:
  - a. Emissions from cooker URN 35 shall be controlled by a condensibles removal system in series with a venturi scrubber;
  - b. Emissions from blood coagulator, two presses, two centrifuges, the cooker discharge and non-condensibles from the shell and tube condenser shall be captured and ducted to a venturi scrubber; and
  - c. Venturi scrubber water flow, and pressure drop across the venturi scrubber throat, shall be continuously monitored, with water flow at least 8 gallons per minute, and pressure drop maintained between 5 and 10 inches of water.

(9 VAC 5-80-110)

2. **PM/PM<sub>10</sub> Emission Limit for Blood Drying equipment (ring dryer and coagulator)** - Particulate emissions from the operation of blood drying equipment shall not exceed the limits specified by the following equation:

$$E = 4.10P^{0.67}$$

where:

E = emission rate in lb/hr

P = process weight in tons/hr

(9 VAC 5-80-110, 9 VAC 5-40-260, and 9 VAC 5-50-10 D)

3. **PM/PM<sub>10</sub> Emission Limit for Continuous Cooker URN 35** - Particulate emissions from the operation of continuous cooker (URN 35) shall not exceed the limits specified by the following equation:

$$E = 4.10P^{0.67}$$

where:

E = emission rate in lb/hr

P = process weight in tons/hr

(9 VAC 5-80-110, 9 VAC 5-40-260, and 9 VAC 5-50-10 D)

4. **Visible Emissions Limit for Blood Drying equipment and Continuous Cooker URN 35** - Visible emissions from the venturi scrubber stack shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity, as determined by EPA Method 9 (40 CFR 60, Appendix A). This applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-50-80 and 9 VAC 5-80-110)

## **B. Periodic Monitoring and Recordkeeping**

1. **Periodic Visual Observations** - Smithfield Packing Company, Incorporated shall check the venturi scrubber stack at least once each week (Monday-Sunday) during daylight hours of operations for visible emissions. If visible emissions are noted from the stack, maintenance shall be performed on the venturi scrubber to eliminate the visible emissions. If visible emissions continue after maintenance actions, a visible emissions evaluation (VEE) shall be immediately conducted on the stack for at least six minutes in accordance with Method 9 (40 CFR 60, Appendix A). If the VEE opacity average exceeds ten (10) percent, the VEE shall continue for one hour from initiation on the stack.  
(9 VAC 5-80-110 E)
2. **Required Monitoring Devices for the Condenser and Venturi Scrubber** - The venturi scrubber shall be equipped with devices to continuously measure scrubber water flow, and differential pressure across the scrubber. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, at minimum, manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection, and shall be in operation during rendering operations.  
(9 VAC 5-50-20 and 9 VAC 5-80-110)
3. **Required Monitoring Device Observations for the Condenser and Venturi Scrubber** - Monitoring devices used to continuously measure liquid flow and air flow rates associated with continuous cooker URN 35 shall be observed by Smithfield Packing Company, Incorporated with a frequency to ensure good performance of the condenser and scrubber. Log entries shall be made during each operating shift of monitoring device readings, scrubber liquid quality, and scrubber liquid sump level. Weekly inspections and washouts shall be performed on the venturi scrubber. Monthly inspections for leaks shall be conducted on the ductwork, condenser, and venturi scrubber. Semiannual internal inspections of condenser and venturi scrubber shall be conducted for structural integrity.  
(9 VAC 5-50-50 H and 9 VAC 5-80-110)

4. **Recordkeeping for Rendering Processes - Smithfield Packing Company,** Incorporated shall maintain records of all rendering plant operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. Records shall include, but are not limited to:
- a. Daily log records of venturi scrubber differential pressure, flow, water quality, sump levels, and any associated maintenance or other actions required;
  - b. Logs of required weekly, monthly, and semiannual inspections and maintenance actions for emissions units and control devices, including date, inspection and maintenance results, and variance from manufacturers' recommendations, if any;
  - c. Records of maintenance and training performed, and all visible emission observations and visible emission evaluations (VEE) conducted; and
  - d. Annual assessments of maximum rendering equipment capacities, which forms the basis, as process rate (P), for limits specified in Part 1, Specific Conditions IV.A.2 and 3.

These records shall be available on site for inspection by the DEQ, and shall be current for the most recent five years.  
(9 VAC 5-50-50 and 9 VAC 5-80-110)

### C. Testing

1. **Testing/Monitoring Ports** - The permitted rendering facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided, when requested, in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B).  
(9 VAC 5-50-30 and 9 VAC 5-80-110)
2. **Test Methods** - If testing to demonstrate compliance is conducted in addition to the monitoring specified in this permit, Smithfield Packing Company, Inc shall use the following test methods in accordance with procedures approved by DEQ as follows:

*The following table applies only to those pollutants that have emission limits.*

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO <sub>x</sub>	EPA Method 7
SO <sub>2</sub>	EPA Method 6
CO	EPA Method 10
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

## **V. Smithfield Packing Company, Incorporated, Facilitywide Conditions**

### **A. Limitations Facilitywide**

1. **Volatile Organic Compound Disposal** - At all times the disposal of volatile organic compounds shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.  
(9 VAC 5-50-20 F and 9 VAC 5-80-110)
2. **Violation of Ambient Air Quality Standard** - Smithfield Packing Company, Incorporated shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.  
(9 VAC 5-80-110 and Condition 18 of Smithfield Packing Company NSR permit dated September 25, 2002)

### **B. Periodic Monitoring and Recordkeeping Facilitywide**

1. **Maintenance/Operating Procedures** - Smithfield Packing Company, Incorporated shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, and process equipment which affect such emissions:
  - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance;
  - b. Ensure an inventory of spare parts is maintained;
  - c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum;
  - d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. Smithfield Packing Company, Incorporated shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained at the facility for a period of five years, and shall be made available to DEQ personnel upon request.  
(9 VAC 5-80-110 and Condition 19 of Smithfield Packing Company NSR permit dated September 25, 2002)

**C. Reporting Facilitywide**

1. **Notification for Control Equipment Maintenance** - Smithfield Packing Company, Incorporated shall furnish notification to the Tidewater Regional Office of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which results in excess emissions for more than one hour, at least 24 hours prior to the shutdown. The notification shall include, but is not limited to, the following information:
  - a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;
  - b. Expected length of time the air pollution control equipment will be out of service;
  - c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period; and
  - d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.

(9 VAC 5-80-110 and Condition 15 of Smithfield Packing Company NSR permit dated September 25, 2002)
2. **Notification for Facility or Control Equipment Malfunction** - Smithfield Packing Company, Incorporated shall furnish notification to the Tidewater Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, electronic mail, telephone or telegraph. Such notification shall be made as soon as practicable but not later than four daytime business hours of the malfunction. If electronic mail is used, the notification shall be made to the Air Compliance Manager for Tidewater Regional Office as listed in the DEQ website ([deq.virginia.gov](http://deq.virginia.gov)). Smithfield Packing Company, Incorporated shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within 14 days of the occurrence. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, Smithfield Packing Company, Incorporated shall notify Tidewater Regional Office in writing.

(9 VAC 5-80-110 and Condition 17 of Smithfield Packing Company NSR permit dated September 25, 2002)
3. **Calculation of Annual Title V Permit Fees** - Smithfield Packing Company, Incorporated shall use the total calculated air emissions of each pollutant from the three facilities, combined, to determine exceedances of minimum fee thresholds.

(9 VAC 5-80-110)



4. **Stationary Source Emission Evaluations - Smithfield Packing Company,** Incorporated shall include a statement in each NSR request for permitting or exemptions, signed by a responsible official from each company, that source-wide PSD implications for the three plants were evaluated.  
(9 VAC 5-80-110)

## **VI. Smithfield Packing Company, Inc., Insignificant Emissions Units**

The following emissions units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emissions Unit No.	Emissions Unit Description	Citation	Pollutants (9 VAC 5-80-720B)	Rated Input Capacity (9 VAC 5-80-720 C)
6	Anderson Hog Singer	9 VAC 5-80-720C	PM	7.5 million Btu/hr
8	Dupps Hair Dryer	9 VAC 5-80-720C	PM	3.5 million Btu/hr; 3 ton/hr
9	Gordon Piatt Air Heater	9 VAC 5-80-720C	N/A	0.50 million Btu/hr
10	Gordon Piatt Air Heater	9 VAC 5-80-720C	N/A	0.50 million Btu/hr
11	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.87 million Btu/hr
12	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.87 million Btu/hr
13	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.87 million Btu/hr
14	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	2.75 million Btu/hr
15	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	2.75 million Btu/hr
16	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	2.75 million Btu/hr
17	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	2.75 million Btu/hr
18	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	2.75 million Btu/hr
19	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	2.75 million Btu/hr
20	Gasoline Storage Tank	9 VAC 5-80-720B	VOC	1,000 gallons
21	Diesel Fuel Dispen Tk (AST)	9 VAC 5-80-720A	N/A	1,000 gallons
22	Residual Oil Stor Tank (AST)	9 VAC 5-80-720B	VOC	25,000 gallons
23	Residual Oil Stor Tank (AST)	9 VAC 5-80-720B	VOC	18,000 gallons
24	Refrigeration Oil Tank (AST)	9 VAC 5-80-720C	N/A	1,000 gallons
25	Hydraulic Oil Stor Tank (AST)	9 VAC 5-80-720C	N/A	550 gallons
26	Hydraulic Oil Stor Tank (AST)	9 VAC 5-80-720C	N/A	550 gallons
27	Edible Mineral Oil Tank (AST)	9 VAC 5-80-720B	VOC	2,860 gallons
28	Kerosene Storage Tank(AST)	9 VAC 5-80-720B	VOC	500 gallons
29	Distillate Oil Stor Tank (AST)	9 VAC 5-80-720B	VOC	300 gallons
30	Distillate Oil Stor Tank (AST)	9 VAC 5-80-720B	VOC	300 gallons
31	Distillate Oil Stor Tank (AST)	9 VAC 5-80-720B	VOC	300 gallons
32	Distillate Oil Stor Tank (AST)	9 VAC 5-80-720B	VOC	300 gallons
33	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	2.75 million Btu/hr
36	Anco 1212 Hair Hydrolyzer -1989	9 VAC 5-80-720B	PM	6,000 lb/hr input
37F	Truck Road Dust	9 VAC 5-80-720B	PM	N/A
38F	Wastewater Treatment Facilities	9 VAC 5-80-720B	VOC	1.5 mm gal/day
39F	Ammonia Refrigeration	9 VAC 5-80-720B	NH3	N/A

These emissions units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emissions units in accordance with 9 VAC 5-80-110.

## **VII. Smithfield Packing Company, Incorporated, Permit Shield and Inapplicable Requirements**

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

### **Inapplicable Requirements:**

Citation	Title of Citation	Description of applicability
40CFR60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	This subpart is not applicable to boilers URN 1 to URN 5. These units were constructed prior to the applicability date of the NSPS.
9 VAC 5- 40-880 et. seq., Part II, Article 8	Emissions Standards for Fuel Burning Equipment	Boiler URN 4 is not subject to the PM and SO <sub>2</sub> standards of Article 8. It was installed in 1978, and commenced operation before October 5, 1979, specified in 9 VAC 5-40- 890 C as the date prior to which a unit's capacity shall be considered part of the fuel burning equipment (FBE) capacity of the facility, but it is subject to the more stringent requirements of NSR permit dated September 25, 2002.
9 VAC 5- 40-880 et seq., Pt II, Art 8	Emissions Standards for Fuel Burning Equipment	Food processing ovens are not subject to this article, because (1) they combust only gaseous fuels, and (2) each unit's heat input capacity is less than 10 million Btu/hr.

Inapplicable Requirements, Continued:

Citation	Title of Citation	Description of applicability
40CFR 60, Subpart K	NSPS for storage vessels for petroleum liquids constructed, modified, or reconstructed after 11 June 1973 and prior to 19 May 1978 with capacity greater than 40,000 gallons	Petroleum liquids, as defined in Subpart K, are not stored in storage tanks greater than 40,000 gallons.
40CFR 60, Subpart Ka	NSPS for Storage Vessels for Petroleum Liquids Constructed, Modified, or Reconstructed After 18 May 1978 and Prior to 23 July 1984 with Capacity Greater Than 40,000 gallons	Petroleum liquids, as defined in Subpart Ka, are not stored in storage tanks greater than 40,000 gallons.
40CFR 60, Subpart Kb, as amended on October 15, 2003	NSPS for Volatile Organic Liquid Storage Vessels Constructed, Modified, or Reconstructed After 23 July 1984 with Storage Capacity Greater Than 75 Cubic Meters (19,817 gallons)	Tanks URN 20, URN 21, and URN 23 to URN 32 have capacities less than the threshold for Kb applicability (19,817 gallons).
40CFR 60, Subpart Kb, as amended on October 15, 2003	NSPS for Volatile Organic Liquid Storage Vessels Constructed, Modified, or Reconstructed After 23 July 1984 with Storage Capacity Greater Than 75 Cubic Meters (19,817 gallons)	Tanks URN 22 was not constructed, reconstructed, or modified after 23 July 1984.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.  
(9 VAC 5-80-140 and 9 VAC 5-80-110)

## **VIII. Smithfield Packing Company, Incorporated, State-Only Enforceable Requirements**

### **A. Limitations**

1. The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.
  - a. 9 VAC 5 Chapter 50, Part II, Article 2: Standards of Performance for Odorous Emissions.  
  
(9 VAC 5-50-140, 9 VAC 5-80-110 N and 9 VAC 5-80-300)
2. **Handling of Rendering Wastes** - All material received at the rendering plant shall be processed or hauled away before it has decomposed to the extent that it causes objectionable odors.  
(9 VAC 5-80-110 N and 9 VAC 5-80-300)
3. **Transit Area Surfaces** - Truck transit areas around the rendering plant shall be paved with a non-porous material to avoid malodorous contamination, and shall be kept in clean condition.  
(9 VAC 5-80-110 N and 9 VAC 5-80-300)
4. **Ponded Waters** - There shall be no ponded waters outside the rendering plant area.  
(9 VAC 5-80-110 N and 9 VAC 5-80-300)
5. **Finished Product Spills** - All spilled finished product shall be cleaned up promptly.  
(9 VAC 5-80-110 N and 9 VAC 5-80-300)

### **B. Reporting**

1. **Recordkeeping for Odor Issues** - Smithfield Packing Company, Incorporated shall maintain the following records to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
  - a. Annual summary of techniques employed to minimize odor from the plant; and
  - b. Log of all complaints of odor received by the facility, and written results of the responses made to the complaints.  
(9 VAC 5-80-110 N and 9 VAC 5-80-300)

## **IX. Smithfield Packing Company, Incorporated, General Conditions**

### **A. Federal Enforceability**

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

### **B. Permit Expiration**

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete renewal application to the Department consistent with 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal, but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied, and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant to section 9 VAC 5-80-80 D, the applicant fails to submit, by the deadline specified in writing by the Board, any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

### **C. Recordkeeping and Reporting**

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. Smithfield Packing Company, Incorporated shall submit the results of monitoring contained in any applicable requirement to DEQ. Reports shall cover a period of six months. The reporting periods shall be from the first day of the month to the last day of the sixth month. Reports shall be postmarked or delivered no later than 60 days following the end of the reporting period. The first reporting period shall commence on **January 1, 2003**. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, Smithfield Packing Company, Incorporated shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, Smithfield Packing Company, Incorporated shall submit to EPA and DEQ a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for a period of twelve months. The report shall be postmarked or delivered no later than 60 days following the end of the twelve-month period. The reporting periods shall coincide with the monitoring reporting periods. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. Time period included in the certification.
2. Identification of each term or condition of the permit that is the basis of the certification.
3. Compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)  
U. S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

#### **E. Permit Deviation Reporting**

Smithfield Packing Company, Incorporated shall notify the Director, Tidewater Regional Office, within four daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, Smithfield Packing Company, Incorporated shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3. of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

#### **F. Failure/Malfunction Reporting**

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.

(9 VAC 5-20-180 C)

#### **G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

#### **H. Duty to Comply**

Smithfield Packing Company, Incorporated shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)



**I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

**J. Permit Action for Cause**

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by Smithfield Packing Company, Incorporated for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
(9 VAC 5-80-110 G.4)
2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
  - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
  - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
  - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
  - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
  - e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
  - f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
  - g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.  
(9 VAC 5-80-110 G, 9 VAC 5-80-110 L, 9 VAC 5-80-240, and 9 VAC 5-80-260)

#### **K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)

#### **L. Duty to Submit Information**

1. Smithfield Packing Company, Incorporated shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, Smithfield Packing Company, Incorporated shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, Smithfield Packing Company, Incorporated shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)

#### **M. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

#### **N. Fugitive Dust Emission Standards**

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

**O. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20)

**P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, Smithfield Packing Company, Incorporated shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

**Q. Inspection and Entry Requirements**

Smithfield Packing Company, Incorporated shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

**R. Reopening For Cause**

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

**S. Permit Availability**

Within five days after receipt of the issued permit, Smithfield Packing Company, Incorporated shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.  
(9 VAC 5-80-150 E)

**T. Transfer of Permits**

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)

**U. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by Smithfield Packing Company, Incorporated through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
  - a. A malfunction occurred and Smithfield Packing Company, Incorporated can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of malfunction, Smithfield Packing Company, Incorporated took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
  - d. Smithfield Packing Company, Incorporated notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, telegraph, or any other method that allows Smithfield Packing Company, Incorporated to comply with the deadline. The notice fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release Smithfield Packing Company, Incorporated from the malfunction reporting requirements under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, Smithfield Packing Company, Incorporated seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

**V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if Smithfield Packing Company, Incorporated violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

**W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

**X. Stratospheric Ozone Protection**

If Smithfield Packing Company, Incorporated handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, Smithfield Packing Company, Incorporated shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

**Y. Accidental Release Prevention**

If Smithfield Packing Company, Incorporated has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, Smithfield Packing Company, Incorporated shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

**Z. Changes to Permits for Emissions Trading**

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

**AA. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)



## **TITLE V PERMIT, PART 2. GWALTNEY OF SMITHFIELD, LIMITED**

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## **I. Gwaltney of Smithfield, Limited, Facility Information**

### **Permittee**

Gwaltney of Smithfield, Limited  
601 North Church Street  
Smithfield VA 23430

### **Responsible Official**

Mr. Noel Messerole, Plant Manager  
Gwaltney of Smithfield, Limited

### **Facility**

Gwaltney of Smithfield, Limited  
601 North Church Street  
Smithfield VA 23430

### **Primary Contact Person**

Ms. Nicole Santure, Environmental Coordinator  
Gwaltney of Smithfield, Limited  
757-365-3588

### **Alternate Contact Person**

Mr. Norman Fisher, Vice President of Environmental Affairs  
Gwaltney/Smithfield Packing  
757-357-1563

**AIRS Identification Number:** 51-093-00011

**Facility Description:** SIC Codes 2011 and 2013 – Gwaltney of Smithfield, Limited, a meat packing facility, Smithfield Packing Company, Incorporated, a contiguous meat packing and rendering facility, and Smithfield Ham and Products Company, a contiguous food processing facility, are independently operated companies that operate under the common control of Smithfield Foods, Incorporated. The three permittees have been determined, under Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution (9 VAC 5, Chapter 80), to represent a single stationary source of air emissions. A three-part Title V permit format is used to reflect each permittee's compliance responsibilities delegated by Smithfield Foods, Incorporated, to facilitate direct compliance relationships between the state and the three companies.

Main plant boilers URN 51, URN 52, URN 53, and URN 55 at Gwaltney of Smithfield, Limited, are existing boilers. Main plant boiler URN 54 is a Cleaver Brooks boiler rated at 29.3 million Btu per hour heat input capacity. Manufactured in 1972, it generates 700 horsepower, was installed in 1983, and uses natural gas and low sulfur oils. New source review (NSR) permit dated December 19, 2003 contains the new source requirements for boilers URN 54 and URN 56. The latter has a maximum rated heat input capacity of 6.3 million BTU per hour, was manufactured in 1970, and was installed in 2003, using natural gas.

Hog singers URN 91 and 92 are natural gas-fired units. URN 57 to URN 79 are natural gas-fired food processing ovens. URN 81 to URN 84 are oil tanks. URN 85 is a meat smokehouse.

Smithfield Ham and Products Company was acquired by Gwaltney of Smithfield, Limited, in 2002. It shares a common 2-digit SIC with Gwaltney, and has requested a separate Title V permit. Its two boilers are subject to new source rules in Chapter 50 based on their installation dates, but each was exempt from Chapter 80 NSR requirements based on maximum rated heat input capacities.

## II. Gwaltney of Smithfield, Limited, Emissions Units and Control Device Identification

Equipment to be operated consists of:

(\*The Size/Rated capacity and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.)

<b>Emissions Unit ID</b>	<b>Stack ID</b>	<b>Emission Unit Description, Install Date</b>	<b>Size/Rated Capacity* (million Btu/hr)</b>	<b>Pollution Control Device Description</b>	<b>Applicable Permit Date</b>
URN 51	S51	Continental, 1958	25.9	NA	12/19/03
URN 52	S52	Continental, 1968	34.8	NA	12/19/03
URN 53	S53	Continental, 1972	34.8	NA	12/19/03
URN 54	S54	Cleaver Brooks, 1983	29.3	NA	12/19/03
URN 56	S56	York-Shipley, 2003	6.3	NA	12/19/03

### **III. Gwaltney of Smithfield, Limited, Fuel Burning Equipment - (Boilers URN 51 to 54, and URN 56)**

#### **A. Limitations for Boilers URN 51 to 54, and URN 56**

1. **Approved Fuels for Boilers URN 51 to URN 54** - The approved fuels for boilers URN 51, 52, 53, and 54, are natural gas and low sulfur fuel oils. A change in fuels may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 3 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)
2. **Approved Fuel for Boiler URN 56**- The approved fuel for boiler URN 56 is natural gas. A change in fuel may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 4 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003 )

3. **Fuel Throughput for Boiler URN 54** - Boiler URN 54 shall consume no more than  $220 \times 10^6$  cubic feet of natural gas per year, and one of the following quantities of fuel oils, calculated monthly as the sum of each consecutive 12-month period:

955,000 gallons of No. 4, 5, and 6 residual fuel oils, combined, or

1,030,575 gallons of No. 1 and No. 2 distillate fuel oils, combined.

If more than one type of fuel oil is combusted in any consecutive 12 month period, the following overall fuel oil limit shall apply:

*Fuel throughput limit =  $(a + b) / [(a / 955,000) + (b / 1,030,575)]$ , where*

*a = gallons of residual oils No. 4, 5, and 6, combined, fired in 12 consecutive months;*

*b = gallons of distillate oils No. 1 and No. 2, combined, fired in 12 consecutive months.*

(9 VAC 5-80-110 and Condition 5 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

4. **Fuel Specifications for Boilers URN 51 to URN 54** - Fuel oil combusted in boilers URN 51, 52, 53, and 54 shall meet the specifications below:

RESIDUAL OIL which meets ASTM specifications for numbers 4, 5, or 6 fuel oil:

Maximum sulfur content per shipment: 0.5%.

DISTILLATE OIL which meets ASTM specifications for numbers 1 or 2 fuel oil:

Maximum sulfur content per shipment: 0.5%.

(9 VAC 5-50-260, 9 VAC 5-80-110, and Condition 6 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

5. **PM Emissions Limits for Boilers URN 51 to URN 53-** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any gaseous products of combustion containing particulate emissions in excess of the following limits:

PM (for Boilers URN 51 to URN 53)      0.334 lbs/million Btu input

PM (for Boiler URN 51)                      8.7 lbs/hr

PM (for Boiler URN 52)                      11.6 lbs/hr

PM (for Boiler URN 53)                      11.6 lbs/hr

For fuel burning equipment installations with total capacity between 10 million and 10 billion Btu per hour, the maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be determined by the following equation:  $E = 1.0906H^{-0.2594}$ , where H is the total heat input capacity in millions of Btu per hour. Maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio.

(9 VAC 5-40-900 and 9 VAC 5-80-490)

6. **SO<sub>2</sub> Emissions Limit for Boilers URN 51 to URN 53 -** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any sulfur dioxide emissions in excess of the following limit:

SO<sub>2</sub> (for Boilers URN 51 to URN 53, combined)      252.1 lbs/hr

The maximum emissions shall be determined by the following equation:

$S = 2.64K$ , where S = allowable emission of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour.

(9 VAC 5-40-930 and 9 VAC 5-80-490)

7. **Emission Limits for Boiler URN 54** - Emissions from the operation of boiler URN 54 shall not exceed the limits specified below:

Particulate Matter (PM)	1.6 lbs/hr	4.6 tons/yr
PM <sub>10</sub>	1.3 lbs/hr	4.0 tons/yr
Sulfur Dioxide	15.8 lbs/hr	37.5 tons/yr
Nitrogen Oxides (as NO <sub>2</sub> )	11.0 lbs/hr	37.3 tons/yr
Carbon Monoxide	2.5 lbs/hr	11.8 tons/yr
Volatile Organic Compounds	0.2 lbs/hr	0.7 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with annual emission limits may be determined as stated in Title V Permit Part 2, Conditions III.A.1, A.3, A.4, and A.9; and III.B.1, B.2, and B.3.

(9 VAC 5-80-110 and Condition 8 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

8. **Visible Emissions Limit for Boilers URN 51 to URN 53** - Visible emissions from boilers URN 51 to URN 53 shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).

(9 VAC 5-80-110 and Condition 9 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

9. **Visible Emissions Limit for Boiler URN 54** - Visible emissions from boiler URN 54 shall not exceed 20 percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110 and Condition 10 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

10. **Visible Emissions Limit for Boiler URN 56** - Visible emissions from boiler URN 56 shall not exceed 20 percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-50-80 and Condition 11 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

**B. Periodic Monitoring and Recordkeeping for Boilers URN 51 to 54, and URN 56**

1. **Periodic Visual Observations for Boilers URN 51 to 54, and URN 56** - Gwaltney of Smithfield, Limited shall perform periodic visual observations of each combustion exhaust stack at least once each week (Monday-Sunday) during daylight hours of operations for the presence of visible emissions from boilers URN 51 to 54, and 56. If visible emissions are observed, Gwaltney of Smithfield, Limited shall take appropriate action to correct the cause of the opacity such that no visible emissions exist. If visible emissions continue after maintenance actions, a visible emissions evaluation (VEE) shall be immediately conducted on the stack for at least six minutes in accordance with Method 9 (40 CFR 60, Appendix A), and record the details in a log. If the VEE opacity average exceeds ten (10) percent, the VEE shall continue for one hour from initiation on the stack.  
(9 VAC 5-80-110 E)
2. **Fuel Certification for Boilers URN 51 to URN 54** - Gwaltney of Smithfield, Limited shall obtain a certification from the fuel supplier with each shipment of fuel oil for boiler URN 54. A receipt for each shipment containing the name of the fuel supplier, the date on which the oil was received, the volume of oil in the shipment, American Society for Testing and Materials classification of the oil, and the percent sulfur content of the oil, shall be considered a certification for purposes of this permit.  
(9 VAC 5-80-110 E and Condition 7 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)
3. **Recordkeeping for Boilers URN 51 to 54, and URN 56** - Gwaltney of Smithfield, Limited shall maintain records of all emission data and operating parameters on boilers URN 51, URN 52, URN 53, and URN 54 necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
  - a. Types of fuels combusted in boilers URN 51, URN 52, URN 53, and URN 54;
  - b. Annual throughputs of natural gas and fuel oils for boiler URN 54. Annual throughputs shall be calculated monthly as the sum of each consecutive 12-month period;
  - c. Certification from the fuel supplier with each shipment of oil, identifying the sulfur content of the fuels for boilers URN 51 to URN 54;
  - d. DEQ-approved, pollutant-specific emission factors and equations used to determine compliance with emission limits for boilers URN 51 to URN 54;



- e. Records of visible emissions observations and visible emissions evaluations (VEE) conducted, and any corrective action taken for boilers URN 51 to 54, and URN 56; and
- f. Records for boilers URN 51 to URN 54 of training and maintenance conducted.

These records shall be available at the facility for inspection by the DEQ, and shall be current for the most recent five (5) years.

(9 VAC 5-80-110 and Condition 13 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

### **C. Testing for Boilers URN 51 to 54, and URN 56**

1. Boilers URN 51 to 54 shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports will be provided at the appropriate locations.  
(9 VAC 5-40-30, 9 VAC 5-50-30, 9 VAC 5-80-110 E, and Condition 12 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)
2. If testing to demonstrate compliance is conducted in addition to the monitoring specified in this permit, Gwaltney of Smithfield, Limited shall use the following test methods in accordance with procedures approved by the DEQ as follows:

*The following table applies only to those pollutants that have emission limits.*

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO <sub>x</sub>	EPA Method 7
SO <sub>2</sub>	EPA Method 6
CO	EPA Method 10
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

#### **IV. Gwaltney of Smithfield, Limited, Facilitywide Conditions**

##### **A. Limitations Facilitywide**

1. **Volatile Organic Compound Disposal** - At all times the disposal of volatile organic compounds shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.  
(9 VAC 5-50-20 F and 9 VAC 5-80-110)
2. **Violation of Ambient Air Quality Standard** - Gwaltney of Smithfield, Limited shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.  
(9 VAC 5-80-110 and Condition 16 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

##### **B. Periodic Monitoring and Recordkeeping**

1. **Maintenance/Operating Procedures** - Gwaltney of Smithfield, Limited shall take the following measures to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, and process equipment which affect such emissions:
  - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
  - b. Ensure an inventory of spare parts is maintained.
  - c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
  - d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. Gwaltney of Smithfield, Limited shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained at the facility for a period of five years, and shall be made available to DEQ personnel upon request.  
(9 VAC 5-80-110 and Condition 17 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)

**C. Reporting Facilitywide**

1. **Notification for Facility or Control Equipment Malfunction** - Gwaltney of Smithfield, Limited shall furnish notification to the Tidewater Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, electronic mail, telephone or telegraph. Such notification shall be made as soon as practicable but not later than four daytime business hours of the malfunction. If electronic mail is used, the notification shall be made to the Air Compliance Manager for Tidewater Regional Office as listed in the DEQ website ([deq.virginia.gov](http://deq.virginia.gov)). Gwaltney of Smithfield, Limited shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within 14 days of the occurrence. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, Gwaltney of Smithfield, Limited shall notify Tidewater Regional Office in writing.  
(9 VAC 5-80-110 and Condition 15 of Gwaltney of Smithfield, Limited, NSR permit dated December 19, 2003)
2. **Calculation of Annual Title V Operating Permit Fees** - Gwaltney of Smithfield, Limited shall use the total calculated air emissions of each pollutant from the three facilities, combined, to determine exceedances of minimum fee thresholds.  
(9 VAC 5-80-110)
3. **Stationary Source Emission Evaluations** - Gwaltney of Smithfield, Limited shall include a statement in each NSR request for permitting or exemptions, signed by a responsible official from each company, that source-wide PSD implications for the three plants were evaluated.  
(9 VAC 5-80-110)

## V. Gwaltney of Smithfield, Limited, Insignificant Emissions Units

The following emissions units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emissions Unit No.	Emissions Unit Description	Citation	Pollutants (9 VAC 5-80-720B)	Rated Input Capacity (9 VAC 5-80-720 C)
55	Continental natural gas-fired boiler, manufactured and installed in 1962	9 VAC 5-80-720C	N/A	4.3 million Btu/hr
57	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	2.9 million Btu/hr
58	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	2.9 million Btu/hr
59	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	1.7 million Btu/hr
60	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	1.7 million Btu/hr
61	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	1.7 million Btu/hr
62	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	1.7 million Btu/hr
63	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
64	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
65	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
66	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
67	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
68	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
69	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
70	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
71	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	1.5 million Btu/hr
72	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	2.9 million Btu/hr
73	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	2.9 million Btu/hr
74	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	2.9 million Btu/hr
75	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	2.9 million Btu/hr
76	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	2.9 million Btu/hr
77	Julian Food Processing Oven	9 VAC 5-80-720C	N/A	2.9 million Btu/hr
78	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	1.7 million Btu/hr
79	Alkar Food Processing Oven	9 VAC 5-80-720C	N/A	1.7 million Btu/hr
81	Residual Oil Stor Tank (AST)	9 VAC 5-80-720B	VOC	25,000 gallons
82	Diesel Fuel Dispen Tank (AST)	9 VAC 5-80-720A	VOC	1,000 gallons
83	Hydraulic Oil Stor Tank (AST)	9 VAC 5-80-720C	N/A	500 gallons
84	Refrigeration Oil Tank (AST)	9 VAC 5-80-720C	N/A	1,000 gallons
85	Meat Smokehouse	9 VAC 5-80-720B	PM, VOC	N/A
88F	Wastewater Treatment	9 VAC 5-80-720B	VOC	2.0 mm gal/day
90	Edible Mineral Oil Tank (AST)	9 VAC 5-80-720B	VOC	2,860 gallons
91	Stork Nijhuis Hog Singer	9 VAC 5-80-720B	PM	8.1 million Btu/hr
92	Stork Nijhuis Hog Singer	9 VAC 5-80-720B	PM	8.1 million Btu/hr

These emissions units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emissions units in accordance with 9 VAC 5-80-110.

## **VI. Gwaltney of Smithfield, Limited, Permit Shield and Inapplicable Requirements**

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

### **Inapplicable Requirements:**

<b>Citation</b>	<b>Title of Citation</b>	<b>Description of Applicability</b>
40 CFR 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	This subpart is not applicable to Emissions Units URN 51 to URN 56; these units were constructed prior to the applicability date of the NSPS, and URN 55 and 56 are less than 10 million Btu/hr.
9 VAC 5-40-880 et. seq., Part II, Article 8	Emissions Standards for Fuel Burning Equipment	Cord wood and sawdust fired in the smokehouse is considered to be open wood burning, and is not included in this article's definition of fuel burning equipment.
9 VAC 5-40-880 et. seq., Part II, Article 8	Emissions Standards for Fuel Burning Equipment	Boilers URN 55 and 56, the 23 food processing ovens, and hog singers URN 91 and 92, are not subject to this article, because (1) they combust only gaseous fuels, and (2) each unit's heat input capacity is less than 10 million Btu/hr.

Inapplicable Requirements, Continued:

Citation	Title of Citation	Description of Applicability
40CFR 60, Subpart Ka	NSPS for Storage Vessels for Petroleum Liquids Constructed, Modified, or Reconstructed After 18 May 1978 and Prior to 23 July 1984 with Capacity greater than 40,000 gallons	Petroleum liquids, as defined in Subpart Ka, are not stored in storage tanks greater than 40,000 gallons.
40CFR 60, Subpart Kb, as amended on October 15, 2003	NSPS for Volatile Organic Liquid Storage Vessels Constructed, Modified, or reconstructed after 23 July 1984 with storage capacity greater than 75 cubic meters (19,817 gallons)	Tanks URN 82, URN 83, and URN 84 have capacities less than the threshold for Kb applicability (19,817 gallons).
40CFR 60, Subpart Kb, as amended on October 15, 2003	NSPS for Volatile Organic Liquid Storage Vessels Constructed, Modified, or Reconstructed After 23 July 1984 with Storage Capacity Greater Than 75 Cubic Meters (19,817 gallons)	Tank URN 81 was not constructed, reconstructed, or modified after 23 July 1984.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.  
(9 VAC 5-80-110 and 9 VAC 5-80-140)

## **VII. Gwaltney of Smithfield, Limited, General Conditions**

### **A. Federal Enforceability**

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

### **B. Permit Expiration**

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete renewal application to the Department consistent with 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal, but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied, and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant to section 9 VAC 5-80-80 D, the applicant fails to submit, by the deadline specified in writing by the Board, any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

### C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. Gwaltney of Smithfield, Limited shall submit the results of monitoring contained in any applicable requirement to DEQ. Reports shall cover a period of six months. The reporting periods shall be from the first day of the month to the last day of the sixth month. Reports shall be postmarked or delivered no later than 60 days following the end of the reporting period. The first reporting period shall commence on **January 1, 2003**. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,



(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, Gwaltney of Smithfield, Limited shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, Gwaltney of Smithfield, Limited shall submit to EPA and DEQ a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for a period of twelve months. The report shall be postmarked or delivered no later than 60 days following the end of the twelve-month period. The reporting periods shall coincide with the monitoring reporting periods. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. Time period included in the certification.
2. Identification of each term or condition of the permit that is the basis of the certification.
3. Compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)  
U. S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

#### **E. Permit Deviation Reporting**

Gwaltney of Smithfield, Limited shall notify the Director, Tidewater Regional Office, within four daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, Gwaltney of Smithfield, Limited shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3. of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

#### **F. Failure/Malfunction Reporting**

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.

(9 VAC 5-20-180 C)

#### **G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

#### **H. Duty to Comply**

Gwaltney of Smithfield, Limited shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

**I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

**J. Permit Action for Cause**

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by Gwaltney of Smithfield, Limited for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
(9 VAC 5-80-110 G.4)

2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:

- a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
- b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
- c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
- d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
- e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
- f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
- g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 L, 9 VAC 5-80-240, and 9 VAC 5-80-260)

## **K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)

## **L. Duty to Submit Information**

1. Gwaltney of Smithfield, Limited shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, Gwaltney of Smithfield, Limited shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, Gwaltney of Smithfield, Limited shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)

## **M. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

## **N. Fugitive Dust Emission Standards**

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

**O. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20)

**P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, Gwaltney of Smithfield, Limited shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

**Q. Inspection and Entry Requirements**

Gwaltney of Smithfield, Limited shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

**R. Reopening For Cause**

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

**S. Permit Availability**

Within five days after receipt of the issued permit, Gwaltney of Smithfield, Limited shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.  
(9 VAC 5-80-150 E)

**T. Transfer of Permits**

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)

**U. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by Gwaltney of Smithfield, Limited through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
  - a. A malfunction occurred and Gwaltney of Smithfield, Limited can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of malfunction, Gwaltney of Smithfield, Limited took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
  - d. Gwaltney of Smithfield, Limited notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, telegraph, or any other method that allows Gwaltney of Smithfield, Limited to comply with the deadline. The notice fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release Gwaltney of Smithfield, Limited from the malfunction reporting requirements under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, Gwaltney of Smithfield, Limited seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)



**V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if Gwaltney of Smithfield, Limited violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations. (9 VAC 5-80-260)

**W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit. (9 VAC 5-80-80 E)

**X. Stratospheric Ozone Protection**

If Gwaltney of Smithfield, Limited handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, Gwaltney of Smithfield, Limited shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F. (40 CFR Part 82, Subparts A-F)

**Y. Accidental Release Prevention**

If Gwaltney of Smithfield, Limited has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, Gwaltney of Smithfield, Limited shall comply with the requirements of 40 CFR Part 68. (40 CFR Part 68)

**Z. Changes to Permits for Emissions Trading**

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. (9 VAC 5-80-110 I)

**AA. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

**TITLE V PERMIT, PART 3. SMITHFIELD HAM AND PRODUCTS COMPANY**

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## **I. Smithfield Ham and Products Company Facility Information**

### **Permittee**

Smithfield Ham and Products Company  
401 North Church Street  
Smithfield VA 23430

### **Responsible Official**

Mr. Clyde Bryant, Plant Manager  
Smithfield Ham and Products Company

### **Facility**

Smithfield Ham and Products Company  
401 North Church Street  
Smithfield VA 23430

### **Primary Contact Person**

Ms. Nicole Santure  
Environmental Coordinator  
Gwaltney of Smithfield, Limited  
757-365-3588

### **Alternate Contact Person**

Mr. Norman Fisher  
Vice President of Environmental Affairs  
Gwaltney/Smithfield Packing  
757-357-1563

**AIRS Identification Number:** 51-093-00011

**Facility Description:** SIC Code 2013 – Smithfield Ham and Products Company is a meat processing facility acquired by Gwaltney of Smithfield, Limited, in 2002. Gwaltney of Smithfield, Limited, a meat packing facility, and Smithfield Packing Company, Incorporated, a meat packing and rendering facility, are contiguous, independently operated companies that operate under the common control of Smithfield Foods, Incorporated. The three permittees have been determined, under Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution (9 VAC 5, Chapter 80), to represent a single stationary source of air emissions. Smithfield Ham and Products Company shares a common 2-digit SIC with Gwaltney, and as part of this stationary source has also requested Title V permitting. A three-part Title V permit format is used to reflect each permittee's compliance responsibilities delegated by Smithfield Foods, Incorporated, to facilitate direct compliance relationships between the state and the three companies.

Boilers URN 100 and URN 101 at Smithfield Ham and Products Company were installed in 1988 and 1994, respectively, and are subject to the requirements of Chapter 50 of the Commonwealth of Virginia's Regulations for the Control and Abatement of Air Pollution. They were exempt from preconstruction new source review (NSR) based on size (heat input capacities each less than 10 million BTU/hr.).

## II. Smithfield Ham and Products Company Emissions Units and Control Device Identification

Equipment to be operated consists of:

(\*The Size/Rated capacity and PCD efficiency is for information only, and is not an applicable requirement.)

Emissions Unit ID	Stack ID	Emission Unit Description, Install Date	Size/Rated Capacity * (million Btu/hr)	Pollution Control Device	Applicable Permit Date
URN 100	S100	Superior Boiler Works, 1994	6.3	NA	NA
URN 101	S101	Cleaver Brooks, 1980	4.2	NA	NA

## III. Smithfield Ham and Products Company Fuel Burning Equipment - (Boilers URN 100 and URN 101)

### A. Limitations for Boilers URN 100 and URN 101

1. **Approved Fuels for Boilers URN 100 and URN 101.** The approved fuels for boilers URN 100 and 101 are natural gas and No. 2 fuel oil. A change in fuels may require a permit to modify and operate.

(9 VAC 5-80-110)

2. **Fuel Specifications for Boilers URN 100 and URN 101** - Fuel oil combusted in boilers URN 100 and 101 shall meet the specifications below:

DISTILLATE OIL which meets ASTM specifications for numbers 1 or 2 fuel oil:  
Maximum sulfur content per shipment: 0.5%.

(9 VAC 5-80-110)

3. **Visible Emissions Limit for Boilers URN 100 and URN 101** - Visible emissions from boilers URN 100 and URN 101 shall not exceed 20 percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-50-80 and 9 VAC 5-80-110)

4. **PM Emissions Limits for Boiler URN 100-** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any gaseous products of combustion containing particulate emissions in excess of the following limits:

PM                      0.677 lbs/million Btu input

PM                      4.3 lbs/hr

For fuel burning equipment installations with total capacity between 10 million and 10 billion Btu per hour, the maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be determined by the following equation:  $E = 1.0906H^{-0.2594}$ , where H is the total heat input capacity in millions of Btu per hour. Maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio.

(9 VAC 5-40-900 and 9 VAC 5-80-110)

5. **SO<sub>2</sub> Emissions Limit for Boiler URN 100 -** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any sulfur dioxide emissions in excess of the following limit:

SO<sub>2</sub>                      16.4 lbs/hr

The maximum emissions shall be determined by the following equation:

$S = 2.64K$ , where S = allowable emission of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour.

(9 VAC 5-40-930 and 9 VAC 5-80-110)

6. **PM Emissions Limits for Boiler URN 101-** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any gaseous products of combustion containing particulate emissions in excess of the following limits:

PM                      0.752 lbs/million Btu input

PM                      3.2 lbs/hr

For fuel burning equipment installations with total capacity between 10 million and 10 billion Btu per hour, the maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be determined by the following equation:  $E = 1.0906H^{-0.2594}$ , where H is the total heat input capacity in millions of Btu per hour. Maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio.

(9 VAC 5-40-900 and 9 VAC 5-80-110)

7. **SO<sub>2</sub> Emissions Limit for Boiler URN 101 -** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any sulfur dioxide emissions in excess of the following limit:

SO<sub>2</sub>                      11.1 lbs/hr

The maximum emissions shall be determined by the following equation:

$S = 2.64K$ , where S = allowable emission of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour.

(9 VAC 5-40-930 and 9 VAC 5-80-110)

## **B. Periodic Monitoring for Boilers URN 100 and URN 101**

1. **Fuel Certification for Boilers URN 100 and URN 101 -** Smithfield Ham and Products Company shall obtain a certification from the fuel supplier with each shipment of fuel oil for boilers URN 100 and URN 101. A receipt for each shipment containing the name of the fuel supplier, the date on which the oil was received, the volume of oil in the shipment, and a statement that the distillate oil complies with the American Society for Testing and Materials specifications D396-78 for numbers 1 or 2 fuel oil, shall be considered a certification for purposes of this permit.  
(9 VAC 5-80-110 E)



2. **Periodic Visual Observations for Boilers URN 100 and URN 101** - Smithfield Ham and Products Company shall perform periodic visual observations of each combustion exhaust stack at least once each week (Monday-Sunday) during daylight hours of operations for the presence of visible emissions from boilers URN 100 and URN 101. If visible emissions are observed, appropriate action shall be taken to correct the cause of the opacity such that no visible emissions exist. If visible emissions continue after maintenance actions, a visible emissions evaluation (VEE) shall be immediately conducted on the stack for at least six minutes in accordance with Method 9 (40 CFR 60, Appendix A), and record details in a log. If VEE opacity average exceeds ten (10) percent, the VEE shall continue for one hour from initiation. (9 VAC 5-80-110 E)

**C. Recordkeeping for Boilers URN 100 and URN 101**

1. **Recordkeeping for Boilers URN 100 and URN 101** - Smithfield Ham and Products Company shall maintain records of all emission data and operating parameters on boilers URN 100 and URN 101 necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
- a. Types of fuels combusted in boilers URN 100 and URN 101;
  - b. All fuel supplier certifications for boilers URN 100 and URN 101; and
  - c. Records of visible emissions observations and visible emission evaluations (VEE) conducted, and any corrective action taken for boilers URN 100 and URN 101.
- These records shall be available at the facility for inspection by the DEQ, and shall be current for the most recent five (5) years.  
(9 VAC 5-50-50 and 9 VAC 5-80-110)

**D. Testing for Boilers URN 100 and 101**

1. If testing to demonstrate compliance is conducted in addition to the monitoring specified in this permit, Smithfield Ham and Products Company shall use the following test methods in accordance with procedures approved by DEQ as follows:

*The following table applies only to those pollutants that have emission limits.*

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO <sub>x</sub>	EPA Method 7
SO <sub>2</sub>	EPA Method 6
CO	EPA Method 10
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

#### **IV. Smithfield Ham and Products Company Facilitywide Conditions**

##### **A. Limitations Facilitywide**

1. **Volatile Organic Compound Disposal** - At all times, disposal of volatile organic compounds shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.  
(9 VAC 5-50-20 F and 9 VAC 5-80-110)
2. **Violation of Ambient Air Quality Standard** - Smithfield Ham and Products Company shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.  
(9 VAC 5-20-180 I and 9 VAC 5-80-110)

##### **B. Periodic Monitoring and Recordkeeping Facilitywide**

1. **Maintenance/Operating Procedures** - Smithfield Ham and Products Company shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, and process equipment which affect such emissions:
  - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
  - b. Maintain an inventory of spare parts.
  - c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
  - d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. Smithfield Ham and Products Company shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained at the facility for a period of five years, and shall be made available to DEQ personnel upon request.

(9 VAC 5-50-20 E and 9 VAC 5-80-110)

**C. Reporting Facilitywide**

1. **Notification for Facility or Control Equipment Malfunction** - Smithfield Ham and Products Company shall furnish notification to the Tidewater Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, electronic mail, telephone or telegraph. Such notification shall be made as soon as practicable but not later than four daytime business hours of the malfunction. If electronic mail is used, the notification shall be made to the Air Compliance Manager for Tidewater Regional Office as listed in the DEQ website ([deq.virginia.gov](http://deq.virginia.gov)). Smithfield Ham and Products Company shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within 14 days of the occurrence. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, Smithfield Ham and Products Company shall notify Tidewater Regional Office in writing.  
(9 VAC 5-20-180 C and 9 VAC 5-80-110)
2. **Calculation of Annual Title V Operating Permit Fees** - Smithfield Ham and Products Company shall use the total calculated air emissions of each pollutant from the three facilities, combined, to determine exceedances of minimum fee thresholds.  
(9 VAC 5-80-110)
3. **Stationary Source Emission Evaluations** - Smithfield Ham and Products Company shall include a statement in each NSR request for permitting or exemptions, signed by a responsible official from each company, that source-wide PSD implications for the three plants were evaluated.  
(9 VAC 5-80-110)

## **V. Smithfield Ham and Products Company Insignificant Emissions Units**

The following emissions units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emissions Unit No.	Emissions Unit Description	Citation (9 VAC_)	Pollutants Emitted (9 VAC 5-80-720B)	Rated Capacity (9 VAC 5-80-720 C)
103	Distillate Oil Storage tank	5-80-720A	VOC	4,000 gallons
104	Wastewater Treatment Facilities	5-80-720B	VOC	0.02 million gal/day
105	Alkar Food Processing Oven	5-80-720C	NOx	0.55 million Btu/hr
106	Alkar Food Processing Oven	5-80-720C	NOx	0.55 million Btu/hr
107	Kartridge Pak Smoke Generator	5-80-720B	VOC, PM	29,000 Btu/hr

These emissions units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emissions units in accordance with 9 VAC 5-80-110.

## **VI. Smithfield Ham and Products Company Permit Shield and Inapplicable Requirements**

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

### **Inapplicable Requirements:**

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	This subpart is not applicable to Emissions Units URN 100 and 101; these units are less than 10 million Btu/hr.
9 VAC 5-80-11, Part I, Chapter 80	New Source Review Exemption Standards for Fuel Burning Equipment	Boilers URN 100 and 101 are not subject to NSR permitting requirements of Chapter 80. Each unit was exempt when installed, based on capacities below 10 million Btu/hr heat input each.
40CFR 60, Subpart Ka	NSPS for Storage Vessels for Petroleum Liquids Constructed, Modified, or Reconstructed After 18 May 1978 and Prior to 23 July 1984 with Capacity Greater Than 40,000 gallons	Petroleum liquids, as defined in Subpart Ka, are not stored in storage tanks greater than 40,000 gallons.
40CFR 60, Subpart Kb, as amended on October 15, 2003	NSPS for Volatile Organic Liquid Storage Vessels Constructed, Modified, or Reconstructed After 23 July 1984 with Storage Capacity Greater Than 75 Cubic Meters (19,817 gallons)	Tank URN 103 has a capacity less than the threshold for Kb applicability (19,817 gallons).

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.  
 (9 VAC 5-80-110 and 9 VAC 5-80-140)

## **VII. Smithfield Ham and Products Company General Conditions**

### **A. Federal Enforceability**

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

### **B. Permit Expiration**

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete renewal application to the Department consistent with 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal, but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied, and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant to section 9 VAC 5-80-80 D, the applicant fails to submit, by the deadline specified in writing by the Board, any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

### C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. Smithfield Ham and Products Company shall submit the results of monitoring contained in any applicable requirement to DEQ. Reports shall cover a period of six months. The reporting periods shall be from the first day of the month to the last day of the sixth month. Reports shall be postmarked or delivered no later than 60 days following the end of the reporting period. The first reporting period shall commence on **January 1, 2003**. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, Smithfield Ham and Products Company shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, Smithfield Ham and Products Company shall submit to EPA and DEQ a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for a period of twelve months. The report shall be postmarked or delivered no later than 60 days following the end of the twelve-month period. The reporting periods shall coincide with the monitoring reporting periods. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. Time period included in the certification.
2. Identification of each term or condition of the permit that is the basis of the certification.
3. Compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)  
U. S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)



#### **E. Permit Deviation Reporting**

Smithfield Ham and Products Company shall notify the Director, Tidewater Regional Office, within four daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, Smithfield Ham and Products Company shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3. of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

#### **F. Failure/Malfunction Reporting**

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.

(9 VAC 5-20-180 C)

#### **G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

#### **H. Duty to Comply**

Smithfield Ham and Products Company shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

**I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

**J. Permit Action for Cause**

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by Smithfield Ham and Products Company for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
(9 VAC 5-80-110 G.4)
2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
  - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
  - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
  - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
  - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
  - e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
  - f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
  - g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a (1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.  
(9 VAC 5-80-110 G, 9 VAC 5-80-110 L, 9 VAC 5-80-240, and 9 VAC 5-80-260)

## **K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)

## **L. Duty to Submit Information**

1. Smithfield Ham and Products Company shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, Smithfield Ham and Products Company shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, Smithfield Ham and Products Company shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)

## **M. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

## **N. Fugitive Dust Emission Standards**

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

**O. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20)

**P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, Smithfield Ham and Products Company shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

**Q. Inspection and Entry Requirements**

Smithfield Ham and Products Company shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

**R. Reopening For Cause**

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

**S. Permit Availability**

Within five days after receipt of the issued permit, Smithfield Ham and Products Company shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.  
(9 VAC 5-80-150 E)

**T. Transfer of Permits**

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)

**U. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by Smithfield Ham and Products Company through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
  - a. A malfunction occurred and Smithfield Ham and Products Company can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of malfunction, Smithfield Ham and Products Company took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
  - d. Smithfield Ham and Products Company notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, telegraph, or any other method that allows Smithfield Ham and Products Company to comply with the deadline. The notice fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release Smithfield Ham and Products Company from the malfunction reporting requirements under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, Smithfield Ham and Products Company seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

## **V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if Smithfield Ham and Products Company violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

## **W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

## **X. Stratospheric Ozone Protection**

If Smithfield Ham and Products Company handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, Smithfield Ham and Products Company shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

## **Y. Accidental Release Prevention**

If Smithfield Ham and Products Company has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, Smithfield Ham and Products Company shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

## **Z. Changes to Permits for Emissions Trading**

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)



**AA. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

**To:** Air Compliance Manager  
Department of Environmental Quality – Tidewater Regional Office  
5636 Southern Blvd.  
Virginia Beach, VA 23462

**From:** (Facility Name)  
  
Registration No. \_\_\_\_\_

**Re:** TITLE V ANNUAL COMPLIANCE CERTIFICATION

**Date:**

Please find attached our Title V Annual Compliance Certification for the period from \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_. It identifies each term or condition of the permit that is the basis of the certification. All deviations and periods of non-compliance for the period have been addressed in semi-annual monitoring reports that have either been previously submitted or are enclosed.

**Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
(Signature )

\_\_\_\_\_  
(Name & Title)

cc: Director, Air and Waste Division (Mail drop 3AP00)  
United States Environmental Protection Agency -- Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

*(Annual Compliance Certifications are due 60 days following end of reporting period.)*

**To:** Air Compliance Manager  
Department of Environmental Quality – Tidewater Regional Office  
5636 Southern Blvd.  
Virginia Beach, VA 23462

**From:** (Facility Name)

**Reg. No.** \_\_\_\_\_

**Re:** PROMPT DEVIATION REPORT – Pursuant to Title V Permit

**Date:**

This confirms the deviation reported to the Regional Office at \_\_\_\_\_ o'clock on \_\_\_\_/\_\_\_\_/\_\_\_\_. The details are described below. The deviation may have caused excess emissions for more than one hour, consistent with specified averaging times. None of these deviations were related to a malfunction.

Start date & time:	End date & time:	Estimated Duration:
Deviation from which permit condition ( <i>condition number and brief description</i> ):		
Description of incident ( <i>including emission unit affected</i> ):		
Description of Monitoring Requirement for affected unit(s):		
Probable cause:		
Description of corrective measures taken ( <i>demonstrating a timely &amp; appropriate response</i> ):		
Description of preventive measures taken:		

**Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
(Signature )

\_\_\_\_\_  
(Name & Title)

To: Air Compliance Manager  
Department of Environmental Quality – Tidewater Regional Office  
5636 Southern Blvd.  
Virginia Beach, VA 23462

From: (Facility Name)

Reg. No. \_\_\_\_\_

Re: SEMI-ANNUAL MONITORING REPORT – Pursuant to Title V Permit

Date:

*The following monitoring report is submitted as required by our Title V permit. For the purposes of this report, deviation means (1) exceedances of emission limits, as determined by such means as stack testing, continuous emission monitors, parametric monitoring and EPA Method 9 visible emission evaluations; (2) excursions from control device operating parameter requirements such as afterburner temperature, scrubber flow rate, baghouse pressure drop; (3) excursions from operational restrictions things such as throughput, fuel quality, and coating VOC and HAP content; and (4) failure to meet monitoring, record keeping or reporting requirements. The report addresses all data points, which are above a standard, limit etc, according to the averaging period, if any, specified in the permit. If no averaging period is specified in the permit, then any monitored reading is considered a deviation to be reported. Deviations are reported regardless of whether they may have caused excess emissions or whether they were the result of a malfunction.*

The period covered by the report is from \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_.

During the reporting period:

- ☐ No deviations from permit requirements occurred during this semi-annual reporting period. (We conducted all required monitoring and associated record keeping and reporting. Required monitoring revealed no deviations from permit requirements. )
- ☐ We failed to conduct required monitoring/record keeping/reporting as explained on the attached form.
- ☐ We identified deviations as a result of required monitoring:
- ☐ Deviations were addressed in CEM Excess Emission Report(s) dated: \_\_\_\_\_
- ☐ Deviations were addressed in Fuel Report(s) dated: \_\_\_\_\_
- ☐ Deviations were addressed in MACT Report(s) dated: \_\_\_\_\_
- ☐ Deviations due to malfunctions were addressed in letters dated: \_\_\_\_\_
- ☐ Deviations were addressed in other report(s) dated: \_\_\_\_\_
- Type of report: \_\_\_\_\_
- ☐ Deviations were previously described in Prompt Deviation Reports dated:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ “Other” deviations, which were not previously reported, are described in the attachment.

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
(Signature )

\_\_\_\_\_  
(Name & Title)

### **FAILURE TO MONITOR, KEEP RECORDS OR REPORT** **Submitted as Part of Semi-Annual Monitoring Report**

Registration No. \_\_\_\_\_

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[illegible]

Cond. No.	TERMS & CONDITIONS CONTAINED IN THE PERMIT <i>(list in order)</i>	MEANS OF DETERMINING COMPLIANCE STATUS	TYPE OF DATA THE MEANS PROVIDES	PERIODS OF NON- COMPLIANCE
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No

**“OTHER” DEVIATIONS****Submitted as Part of Semi-Annual Monitoring Report**

Registration No. \_\_\_\_\_

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Condition No. & Description of Requirement	Description of Deviation (time, emission unit, description of event, cause)	Description of Associated Monitoring Requirement	Description of corrective measures taken ( <i>demonstrating a timely &amp; appropriate response</i> )

*(Report deviations which may have caused excess emissions for more than one hour on a deviation report form, not here.)*